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ABSTRACT

A discussion is provided of the Fashion Institute of Technology's (FIT's) new faculty contract and its implications for the college. First, the paper traces the history of union-management negotiations. After looking at the bitter relationship that restricted faculty growth, development, and morale in the 1970s, the paper describes the "contract of 1973" which acknowledged all of the issues that divided the institution and made a clear effort to emancipate the faculty completely from authoritarian control and place responsibility for the success of FIT on the shoulders of the faculty and staff. This section explores the hopes placed in the "contract of 1973" as well as its limitations. Next, the paper discusses the changed nature of the contract negotiations that took place in 1986, which became a responsible imaginative effort to solve mutual problems mutually. The paper then takes a summary look at the long troubled history of labor-management relations, drawing parallels between FIT and the broader labor-management context. Finally, it is concluded that the FIT agreement weakens neither the union, nor management, but strengthens both through the union's acceptance of a larger role in the management of the institution and management's broadening of its intelligence system and network of opinion. (EJV)

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# Faculty Remarks

by

Marvin Feldman
President
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New York, New York

August 24, 1987

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Faculty Remarks
August 24, 1987

Marvin Feldman
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Although it must seem to you, as it does to me, that commencement was the day before yesterday, I want to welcome you back. I feel this is going to be an uncommonly important and gratifying year in the life of this extraordinary institution. I'm truly glad to see you, because now that you are back, I am free to leave--to renegotiate our international contracts. Next month, I'll be off to Egypt, Israel and Italy; later this year, I'll be in India, and most likely, before the year is out we will have a new project in Latin America.

First, I want to talk briefly about several matters of current importance to the college. Then, I want to talk to you about something truly momentous--the new contract. I believe it is the most important contract in the history of the college, and I am impatient to tell you why.

* * *

Janice reminded us that the prime movers at the college are the members of this faculty. And this year we begin a full-scale departmental faculty development program.

The Teaching Institute Board, chosen by the Faculty Association, has been meeting over the course of a year, and has established general objectives for faculty growth and development, and identified a number of professional development programs throughout the country. As a start, a teaching resource center is being put in place by Professor Julius Panero. The specifics of this plan will be discussed with you at your divisional meetings and at special sessions held by members of the Teaching Institute in the next few weeks. Nineteen eighty-eight is the year we respond to the evaluation of F.I.T. by the Middle States Association of Colleges and Secondary Schools. The Association has asked us to provide more competency-based instruction, particularly in the liberal arts, and we will examine that proposal carefully.

I am sorry to report that we were unable to select a new dean for the Art and Design Division. I am grateful to Janice and Susan for agreeing to assume the additional burden of managing that division until this very important position is filled. When we resume our search, we may, in addition to advertising, seek the help of a professional recruitment agency. This summer, I met with a couple of executive search firms about this possibility.

I have met with a number of new clients in our growing technical assistance department. We are presently negotiating projects with Movado Watch Company, Abercrombie and Fitch, Brooks Brothers, Monarch Knitting Company, Gerber Camsco, American Express and others.

As I hear more and more about the kind of help our industries are seeking, I am convinced that our new authority to grant a master's degree in fashion management will be welcome everywhere in the fashion business. We need to put that program in place as soon as possible; the conventionally trained MBA, I hear, lasts about 90 days in retailing.

* * *

Now I want to talk about our contract--not its details, but its nature. I think it marks our entry into a new, enlightened era in the governance of F.I.T., and I think has consequences far beyond F.I.T. itself.

I am using a set of notes I wrote over the Fourth of July weekend, just after contract negotiations concluded. But I am as gratified about the negotiations now as I was then.

First, let me give you a little history. Sixteen years ago when I was a candidate for this job, I came very close to disqualifying myself. Dave Zelinka, who was chairman of our board, Andy Goodman who was chair of the selection committee and John Brooks, a board member, sent me a copy of the 1968 union-management contract then in force. Dave Zelinka also sent a copy of a letter describing the state of the college, prepared by my predecessor, Larry Jarvie. Fiscally, the college was at a low point. The 1968 budget had never been approved by our sponsors and the result was an ocean of red ink. But, in hindsight, that was a comparatively minor problem.

At the human level, the only truly important level (we are, in the end, just people teaching people), F.I.T. was paralyzed. You could almost feel the bitter wind of animosity in the corridors. Suspicion had made communication impossible.

F.I.T. was considered an academic sweatshop. The faculty felt oppressed and exploited. One of our current deans was the first union president, and another was first to sign up. There was no loyalty, no sense of common purpose and no apparent way to build one. There was certainly no joy.

What, Dave Zelinka and John Brooks wanted to know, should the board do? Maybe, I told them, they should forget about hiring me and hire a union buster instead, because when a faculty has become as alienated as was F.I.T.'s in 1970, it is easy for a union to believe that it has no responsibility beyond hard bargaining for higher pay, more benefits and better working conditions. And the notion that the interests of the faculty and staff and the interests of the institution are antithetical becomes a sad reality.

Well, for some reason, F.I.T. hired me anyway.

Some of you may remember that among our first activities were weekend "T" retreats for small groups of faculty members. We actually had to set up "T" groups to begin to talk to each other. There were rumors that I had a "hidden agenda" when I scarcely knew what their phrase implied.

Then, two years later, after <u>eleven</u> months of negotiation, came the historic "contract of '73"--without question a landmark in the history of the college. It was significant in two ways: in its disarming generosity and, more important, in its laying bare the disabling limitations of collective bargaining in an institution of higher education.

It was, as far as I know, the most generous contract negotiated anywhere in the world, ever, at any time. It was generous beyond dollars and cents. It was generous in acknowledging <u>all</u> the issues that had divided the institution. It was generous in its effort to emancipate the faculty <u>completely</u> from authoritarian controls.

I signed the contract enthusiastically. But then I didn't sleep for a week. It became clear to me that the contract arrived at after nearly a full year of toil and trouble, not to mention physical confrontation between members of the negotiating teams, did nothing--could do nothing--to assure the success of the institution in the years that would follow.

A conventional contract in an institution like this one is necessarily, outrageously one-sided. It can specify the college's responsibility to the faculty and staff in baroque detail. But it cannot, in the nature of things, specify the obligations of the faculty and staff to the college. The college's responsibilities to the faculty and staff are definable; the responsibilities of the faculty and staff to the college are--literally--beyond definition.

Thus, the college succeeds only to the degree that the faculty and staff choose to make it succeed, and invent ways to make it succeed. An administration can create an atmosphere that welcomes the full expression of responsibility and creativity by the faculty and staff, but it cannot provide that creativity. There is no way--no conceivable set of rules or standards or strictures--by which a faculty can be forced to perform with the dedication and inspiration necessary to make an institution great. Inspired teaching is not subject to command.

We abolished authoritarian controls in the "contract of '73" not because we wanted to be nice or conciliatory--but simply because they don't work. In most New York City public schools, teachers still punch a time clock! But a time clock merely creates time servers. Worse still, it suggests that teaching responsibilities are definable, when in fact they are not.

To emphasize that the "contract of '73" placed the full responsibility for the success of the institution on the shoulders of the faculty and staff, I delivered a little litany in the spring of '73. It said in part:

"How will we know if this extraordinary contract is working ... if its generosity contributes to the success of this institution?

"I will know we are succeeding if people are sometimes too busy to take coffee breaks. I will know we are succeeding if every department is covered always--if telephones never ring in empty rooms during business hours--even on Friday afternoons.

"I will know how we are doing simply by observing what becomes fashionable in this institution of fashion. If it becomes fashionable to perform minimally, to shirk duties, to fulfill definable responsibilities and nothing more, then we are in trouble.

"If the faculty members are most revered who perform most responsibly, who teach with an extra measure of zeal and inspiration, then I will know we are succeeding. If senior members of a department take on the most demanding teaching assignments--voluntarily--and not because of AOP lists, I will know we are succeeding. I will know we are succeeding if there is a sharp reduction in complaints from students that staff people in our service departments treat them like furniture.

"An institution like ours can so easily slip into the presumption that serving students is an unpleasant necessity, secondary to providing pleasant employment opportunities for those of us who work here. F.I.T. exists to serve students and for no other reason. We are here for them. If we are not serving them fully, we are failing.

"I will know we are succeeding if we never refer to the contract again during its life. (Much to the chagrin of Lou and Vikki, once it's been signed, I never read it again.) I will know we are succeeding if there are fewer complaints from students about arrogance in the classroom or about impatient counseling.

"If the security provided by the contract breeds humility, we will flourish and achieve. But if it breeds arrogance, as it more easily can, then we are in deep, deep trouble.

"I will know we are failing if, after we have tried other ways--after we have searched for other alternatives--I hear grievances from faculty that in the registration rush they are asked to do what is technically "clerical" work.

"I will know we are succeeding if jokes about Friday classes are heard no more--if I sometimes see people working late on Friday--not as a pointless show of false dedication (I know people who exhaust themselves looking busy 70 hours a week and accomplish nothing)--but because they become so absorbed in necessary work that they lose track of time, or, better still, because we are offering more classes on Friday.

"I will know we are succeeding if some dumb things come to pass--if I see large numbers of faculty members at student social functions and sports events--not because of any burning zeal for basketball or fruit punch, but because hundreds of us resolve to miss no opportunity--however humble--to express our support of F.I.T. and our love for our student body.

"Practically everything here is truly optional. And if we opt for irresponsibility--and we can, without personal penalty--F.I.T. is dead in the water.

"I will know we are succeeding if more and more faculty members take on more and more industry consultancies, painstakingly scheduled not to interfere with their primary teaching responsibilities. I will know we are succeeding if we begin now to believe in each other and what we can accomplish here together."

But these exhortations simply emphasized the limitations of the contract of '73. They cleared the air but did not solve the problem. They did not confront the abiding fiction that there is some sharp separation between the management of the institution and its operation by the faculty and staff. That was fourteen years and six contracts ago and as this past year began we had still not dealt with the illusion that this teaching institution is manageable--that the administration hires and directs this teaching faculty as if F.I.T. were a sausage factory.

Then, this year, suddenly, in the most gratifying development since I came to this institution, at the union's suggestion and with my wholehearted concurrence, the contract negotiations took on a wholly new character. I must admit that after the terrible bitter animosity that grew out of our previous contract negotiations, I was at first deeply suspicious of this turn of events.

Because of my misgivings, I asked Vikki to brief me after each session. And I learned that instead of merely redefining the college's responsibilities to the faculty and staff, the sessions became a responsible, imaginative effort to solve mutual problems mutually.

I can speak about it with some objectivity because I had very little to do with it. The credit is due to both negotiating teams; I am proud of everyone involved.

This is, I think, the beginning of a new era for the college, with implications far beyond the walls of this institution. As you know, I like to think of F.I.T. as a pioneering institution--partly, I suppose, simply because pioneers have more fun. Now I think we are pioneering in a new area--in which collective bargaining is seen in a new light--as an opportunity for mutual problem solving.

This had, to my knowledge, never been done before. So I did a little research last July. In a curious way, our history has encapsulated the long, troubled history of labor-management relations.

In the beginning, there was virtually no direct contact between working people and management. Between them were the foremen whose power was nearly absolute. They hired and fired workers, and directed their work.

A hundred years ago, relations between managers--more often than not, owner-managers--and their employees were frankly adversarial and hostile. They were based on the conviction, probably held by both sides, that the interests of workers and owners were in elemental conflict--that one could only prosper at the expense of the other.

From time to time, the union printed a new bill of wages and nailed it defiantly to the door of the plant. The workers had previously solemnly sworn to walk out if these demands weren't met. There was not even a pretense of the process of negotiation. There was no bargaining: it was simply a naked test of economic strength.

And the idea that workers might make some contribution to management would have been thought ridiculous if not downright subversive. Employers had no confidence in workers' ability to order their own lives, much less the affairs of the firm. Employers posted elaborate exhortations to workers not to "smoke Spanish cigars, to get shaved by a barber and to stay away from dances and other places of amusement."

To an extent few of us realize, we have been slaves to this perverse, adversarial view of institutional relations--now particularly in the public sector. For years they have been built on the idea that the interests of owners and workers were elementally antagonistic.

Our whole tradition of employer-employee relations is based on the systematic exclusion of employees from participation in management. History and law developed in a way that limited employee-employer relations to bargaining on wages and conditions of employment. The mechanism did not permit mutual problem solving. It still doesn't.

And the highly promising social invention of collective bargaining became in practice a device to institutionalize industrial conflict. It created a whole new field of labor law and labor lawyers. Even the 1935 national labor relations act has often been narrowly interpreted to exclude mutual problem solving through its prohibition of employer participation in employee organizations.

But there was, from a very early time, a dim sense of a more constructive alternative to adversarial bargaining. The idea of employers and employees as natural enemies had an opposite: that they are natural allies, complementary members of a production team. Leonard Woolf, the illustrious Virginia's husband, was, at the turn of the century, a passionate advocate of collective bargaining that was not adversarial, but a mutual search for ways to maximize consumer benefits.

And in 1934, a federal judge put the distinction this way: "It is said that the relation (between management and workers) involves the problem of an economic balance of the power of labor against the power of capital. The theory of the balance of power is based upon the assumption of an inevitable and necessary diversity of interest. This is the traditional old world theory. It is not the 20th century American theory of that relation as dependent upon mutual interest, understanding and goodwill."

There was a half-forgotten period of experimentation with this more constructive view. The dreaded "company unions" of the 30's were anathema to working people, but an earlier generation of pioneering joint labor-management groups, particularly in our industry, wrote a neglected chapter in the history of labor-management relations.

They flourished before and during World War I and were casualties of the great depression. These internal labor-management organizations were not then called unions, but "works councils" or "employee representation" plans. They included all the workers in a plant and were designed to serve the best interests of employees and employers. Their origins are obscure.

One of the earliest was the famous Filene Cooperative Association, formed in 1898. Ten years later, the Nelson Valve Company in Philadelphia instituted a pattern of internal governance based on national democratic institutions. A workers committee was analogous to the House of Representatives, and a management committee to the Senate; the president had veto power but could be overridden.

(Centuries before, the crew members on Venetian trading galleys voted on key decisions involving the voyage and could, in effect, impeach a captain who exceeded or abused his authority.)

The Packard Piano Company in Fort Wayne, Indiana, became the leading example of "congressional" company organization in the years before the first world war. After the famous Ludlow Massacre, John D. Rockefeller instituted a congressional-type plan in his Colorado mines.

The war forced an emphasis on high productivity and by its end there were 725 jointly-managed companies in America. They were the source of many basic management innovations. For example, the Leeds and Northrup Cooperative Association introduced unemployment insurance in 1922. And there were many others, including the pioneering work of the I.L.G.W.U.

But the adversarial idea had an almost irresistible momentum. Managers were loath to share what they considered almost God-given prerogatives. One student of the history of collective bargaining--a phrase Beatrice Webb apparently coined in 1891--believes that American corporate managers lost necessary control <u>because</u> of an unwillingness to share it.

The unpredictable, iconoclastic Henry Ford, probably history's single most successful capitalist, resisted unionization fiercely for decades. When he finally admitted defeat and recognized a union, he immediately invited workers to share in management. <u>But the union refused</u>. Its leaders preferred to fight management rather than become a part of it. A few years ago, I read that a company, owned lock, stock and barrel by its employees, went on strike for higher wages--they struck against themselves.

It has been a great national tragedy that adversarial work relations have survived and that the potential of partnership has never been fully explored and exploited. But now the idea of widely shared management is ascendant again, reinforced by the urgent need to improve productivity. (Adversarial bargaining has proved in practice to be the enemy of productivity, and the primary reason the labor movement is at its lowest ebb since the Great Depression.)

The distinction between management and non-management employees is everywhere becoming blurred and may, in time, disappear. It seems to me that a shared management method is appropriate to enterprises of all sorts--from glue factories to law firms to hospitals and symphony orchestras, but particularly to public institutions such as community colleges. There is no question of a conflict of interests between "owners" and "workers."

F.I.T. is not owned by anybody. It makes no profits. Its assets are held in trust for the community. It is dedicated wholly to service: service to students. There can be differences of opinion about how best to provide that service, but no elemental, irreconcilable conflicts of interest. Yet have been operating on an ideological premise that probably does not apply <u>anywhere</u>, and <u>certainly</u> does not apply in a public

educational institution. We can be "managed" jointly by administrators, faculty and staff. We are discovering and demonstrating that management is a game any number can play--and I believe that is an historic achievement.

Does all this weaken the union? I don't think so. In the early days, unions flourished when employees felt most impotent. Workers who felt they were trusted partners in an enterprise were anathema to union organizers.

What's happening here at F.I.T. is not weakening the union but strengthening it through the acceptance of a larger, more enlightened vision of its role. The union becomes much, much more than a mere bargaining agent. It becomes the essential instrument through which faculty and staff become partners in the management of the institution.

Does it weaken management? I don't think so, though some of our sponsors and trustees may disagree. I think it gives management a broader intelligence system, a larger network of opinion and information on which to base decisions than do conventional management methods.

In fact, the traditional collegial form of university governance, based as it is on cooperation and consensus between administrators and professionals has been threatened not by unionism but by adversarial unionism; and that's the key to the frustration of our sponsors.

I rejoice that we have grown together to a new maturity. This is not to say that everything is wonderful, that different personalities and working styles don't clash, that we are walking hand in hand through a rose garden. But it does mean we at F.I.T. have recognized that adversarial behavior is unnecessary and counter-productive.

And I particularly want to thank our negotiators -- Vikki, Janice, Frank and Joyce, as well as Lou, both Judys, Juliette and Joe -- for helping us pioneer again. Unions and administrators everywhere in education will find what you have accomplished highly educational.

Thank you.



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